Attorney Docket No. 70301/56786

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jürgen Harms et al.

SERIAL NO.

FILED: Herewith

FOR: LENGTHWISE ADJUSTABLE SPACE-MAINTAINER FOR INSERTING BETWEEN TWO VERTEBRAL BODIES

BOX PATENT APPLICATION
COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Sir:

PRELIMINARY AMENDMENT

Please amend the above application as follows.

In the Claims:

Please cancel claims 1-4 and enter the following new claims.

5. A space-maintainer for inserting between two vertebral bodies, said space maintainer comprising:

a sleeve-shaped first part having a longitudinal axis;

a second part guided therein, the second part being displaceable in an axial direction relative to the first part;

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a device connecting the sleeve-shaped first part and the second part, the device comprising a first component having a toothed profile extending parallel to the longitudinal axis and a second component having a toothed wheel located for engagement with the toothed profile of the first component,

wherein the first component is attached to one of the sleeve-shaped first part or second part and the second component is attached to the other of the sleeve-shaped first part or second part for adjusting a total length of the sleeve-shaped first part and the second part.

6. The space-maintainer according to Claim 5, wherein the toothed wheel is mounted in the sleeve-shaped first part.

7. The space-maintainer according to Claim 5, wherein the second part further comprises an outer surface and a grid section, extending in the axial direction, the grid section comprising a grid structure consisting of a plurality of indentations arranged adjacent to one another in the axial direction on said outer surface facing the first part; and

the space-maintainer further comprises a stopping part that cooperates with the grid structure.--

8. The space maintainer according to Claim 5, further comprising a rotary instrument, which can engage the toothed wheel for changing a rotary position of the toothed wheel and, therefore, the total length of the sleeve-shaped first part and the second part.

9. The space-maintainer according to Claim 8, wherein the second part further comprises an outer surface and a grid section, extending in the axial direction, the grid section comprising a grid structure consisting of a plurality of indentations

arranged adjacent to one another in the axial direction on said outer surface facing the first part; and

the space-maintainer further comprises a stopping part that cooperates with the grid structure.--

10. The space-maintainer according to Claim 8, wherein the toothed wheel is mounted in the sleeve-shaped first part.

11. The space-maintainer according to Claim 10, wherein the second part further comprises an outer surface and a grid section, extending in the axial direction, the grid section comprising a grid structure consisting of a plurality of indentations arranged adjacent to one another in the axial direction on said outer surface facing the first part; and

the space-maintainer further comprises a stopping part that cooperates with the grid structure.

REMARKS

Should the Examiner wish to discuss any of the amendments and/or remarks made herein, the undersigned attorney would appreciate the opportunity to do so.

Respectfully submitted,

Date: 21 Dec. '01

By: _____
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Appendix showing details of the Amendment

Claims 1-4 are canceled.

New Claims:

5. A space-maintainer for inserting between two vertebral bodies, said space maintainer comprising:

a sleeve-shaped first part having a longitudinal axis;

a second part guided therein, the second part being displaceable in an axial direction relative to the first part;

a device connecting the sleeve-shaped first part and the second part, the device comprising a first component having a toothed profile extending parallel to the longitudinal axis and a second component having a toothed wheel located for engagement with the toothed profile of the first component,

wherein the first component is attached to one of the sleeve-shaped first part or second part and the second component is attached to the other of the sleeve-shaped first part or second part for adjusting a total length of the sleeve-shaped first part and the second part.

6. The space-maintainer according to Claim 5, wherein the toothed wheel is mounted in the sleeve-shaped first part.

7. The space-maintainer according to Claim 5, wherein the second part further comprises an outer surface and a grid section, extending in the axial direction, the grid section comprising a grid structure consisting of a plurality of indentations arranged adjacent to one another in the axial direction on said outer surface facing the first part; and

the space-maintainer further comprises a stopping part that cooperates with the grid structure.--

8. The space maintainer according to Claim 5, further comprising a rotary instrument, which can engage the toothed wheel for changing a rotary position of the toothed wheel and, therefore, the total length of the sleeve-shaped first part and the second part.

9. The space-maintainer according to Claim 8, wherein the second part further comprises an outer surface and a grid section, extending in the axial direction, the grid section comprising a grid structure consisting of a plurality of indentations arranged adjacent to one another in the axial direction on said outer surface facing the first part; and

the space-maintainer further comprises a stopping part that cooperates with the grid structure.--

10. The space-maintainer according to Claim 8, wherein the toothed wheel is mounted in the sleeve-shaped first part.

11. The space-maintainer according to Claim 10, wherein the second part further comprises an outer surface and a grid section, extending in the axial direction, the grid section comprising a grid structure consisting of a plurality of indentations arranged adjacent to one another in the axial direction on said outer surface facing the first part; and

the space-maintainer further comprises a stopping part that cooperates with the grid structure.